

APPENDIX E**STATE ADMINISTRATIVE RULE****5 CSR 50.200.010 Programs for Gifted Children**

PURPOSE: The Department of Elementary and Secondary Education, referred to as the Department, has the responsibility under Section 162.720, RSMo (1986) to approve applications for special programs for gifted students and provide state aid to school districts for these programs. This rule establishes the standards for program approval and establishes the allowable costs and administrative procedures for the programs.

Editor's Note: The Secretary of State has determined that the publication of this rule in its entirety would be unduly cumbersome or expensive. The entire text of the material referenced has been filed with the Secretary of State. The material may be found at the Office of the Secretary of State or at the headquarters of the agency and is available to any interested person at a cost established by state law.

(1) For the purposes of special programs for gifted students eligible for state aid, gifted students are defined as those children who exhibit precocious development of mental capacity and learning potential as determined by competent professional evaluation to the extent that continued educational growth and stimulation could best be served by an academic environment beyond that offered or expected in the regular school program of the district. The special programs for these gifted students shall be designed in the general academic area and/or in the fine arts.

(2) Annually, the Department solicits applications from eligible elementary and secondary school districts which shall be due as of a date and in a form established by the Department.

(3) Applications for state reimbursement, must, to be approvable, demonstrate that the applicant has:

(A) Established a systematic process for identification and selection of gifted students. This process shall use multiple criteria for identification and selection such as, but not limited to, objective measures and competent professional evaluation;

(B) Maintained on file in the district: the project goals and learner objectives which should be achieved by gifted students participating in the program; the program activities of the project which shall be beyond the level normally provided in regular school programs and which contribute particularly to meeting the identified unmet needs of gifted students; information to show that the program for which state aid is requested will not supplant services offered in the regular school program; and an evaluation design which will be used to determine the effectiveness of the project as a whole and the project's impact upon participating students;

(C) Listed the number of gifted students in the project and the amount of time gifted students will

spend in the state funded program;

(D) Listed each individual instructional staff position for which state aid is requested and for each position, the amount of time that will be spent exclusively in the state-assisted gifted program, the number of gifted students to be served, and the delivery system to be used;

(E) Listed the total amount of money to be expended on each type of special instructional materials for which state aid is requested.

(4) The number of gifted students in the state funded program shall be no more than five percent (5%) of the enrollment in the school(s) or grade level(s) to be served by the project if the program is designed to encompass general academic areas. Districts may petition the Department for permission to exceed the five percent (5%) limit on the number of students served in such academic programs. Permission to exceed the five percent (5%) limit shall be applicable only to the time period covered by the program application. The number of gifted students to be served may be no more than two percent (2%) of the enrollment in participating school(s) or grade level(s) if the program is limited to the fine arts.

(5) Instructional personnel in the staff positions for which state aid is approved under the special program for gifted students must hold a valid Missouri teaching certificate at the grade level(s) or in the subject area(s) they are assigned to teach. If a teacher is responsible for teaching in an area for which Missouri certification is not available, the teacher must have a valid Missouri teaching certificate in a related area, at the grade level(s) served, and competencies in the teaching area. After September 1, 1995, in order to receive funding for gifted education programs, a district must employ teachers certificated in the area of gifted education.

(6) Instructional personnel time for which state aid is approved under the program for gifted students shall be used exclusively to serve students who are identified as gifted and are designated as participants in the approved special program for gifted students.

(7) Only special materials that are beyond those ordinarily provided in regular public schools programs and are required to achieve the project goals and objectives will be approved by the Department. Local school districts may be provided state aid under section 162.975, RSMo for not more than seventy-five percent (75%) of the following costs of the special program for gifted students if these costs are included in project applications and approved by the Department:

(A) Salaries, fixed charges and other fringe benefits regularly provided for instructional personnel at the rate applied to all other staff members with similar qualifications and duties. The cost for salaries, fixed charges and other fringe benefits shall not exceed the costs that would be required to appropriately serve five percent (5%) of the target populations in the school(s) or grade level(s) included in the state funded program; and

(B) Costs of special instructional materials approved on the project application, not to exceed fifty dollars (\$50) per pupil. The costs of special instructional materials shall not exceed fifty dollars (\$50) times the number of students equal to five percent (5%) of the target populations in the school(s) or grade level(s) served by the state funded program.

(8) Instructional positions and assignments approved in a gifted project application shall be supported by names of staff members and assignments reported to the Department on the annual core data reports.

(9) At the end of the school year, the school district shall file an amended budget summary with the Department reflecting the actual amount expended for instructional salaries and special materials approved in the project application. If the state aid paid to a district exceeds the established reimbursement percent of the actual expenditures for salaries or for special materials, the Department will make the appropriate adjustment in the subsequent school year's state aid.

(10) The school district shall maintain auditable records of approved project expenditures.